

10/524652

DT05 Ret PCT/PTO 17 FEB 2005 #3

Docket No.: 13173-00001-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Christel R. Schopfer et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: Concurrently Herewith

Art Unit: N/A

For: A PROCESS FOR PREPARING
ZEAXANTHIN AND/OR BIOSYNTHETIC
INTERMEDIATES AND/OR SECONDARY
PRODUCTS THEREOF

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 1.97, Applicant(s) hereby make of record the following documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

Of the documents listed on the attached SB/08 are the documents cited in an International Search Report during the prosecution of international application no. PCT/EP03/09105, which corresponds to the above referenced application, and in accordance with 37 CFR 1.97(b)(2), hereby submit(s) these documents for the Examiner's consideration. A copy of the International Search Report and of each document required under 37 CFR 1.98(a)(2) are enclosed as well.

Applicants point out a discrepancy in the cited authors of the reference to "Database EM_PL 'Online!', accession no. AY099485" on page 2 of the International Search Report (ISR) when compared to the authors cited on the actual copy of the referenced document. The authors cited in the ISR are "Moebs C.P. et al.", whereas the authors corresponding to the cited accession

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no. AY099485 are "Del Villar-Martinez A. A. et al." All other information in the ISR citation correlates with the actual document. Applicants have cited on the enclosed PTO Form SB/08 the authors from the enclosed document. Applicants believe that the copy of the enclosed document corresponds to the reference cited in the ISR.

This statement is not to be interpreted as a representation that the cited documents are material, that an exhaustive search has been conducted, or that no other relevant information exists. Nor shall the citation of any document herein be construed *per se* as a representation that such document is prior art. Moreover, Applicants understand the Examiner will make an independent evaluation of the cited documents.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13173-00001-US from which the undersigned is authorized to draw.

Dated: 2/17/05

Respectfully submitted,

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DT05 Re CT/PTO 17 FEB 2005

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Christel R. Schopfer
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	13173-00001-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	WO 00/32788-A2	06-08-2000	Dellapenna et al.		
	BB	WO 99/63055-A1	12-09-1999	Cunningham et al.		
	BC	WO 98/06862-A1	02-19-1998	Shewmaker		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Pogson B. et al. "Arabidopsis carotenoid mutants demonstrate that lutein is not essential for photosynthesis in higher plants." <i>Plant Cell</i> , 8(9), 1996, pp. 1627-1639.	
	CB	Tijsterman M. et al. "The Genetics of RNA Silencing." <i>Annual Review of Genetics</i> , Annual Reviews Inc., Palo Alto, CA, 36, 2002, pp. 489-519.	
	CC	Carthew, R.W. "Gene Silencing by Double-Stranded RNA." <i>Current Opinion in Cell Biology</i> , 13(2), April 2001, pp. 244-248.	
	CD	Del Villar-Martinez A.A. et al. "Tagetes erecta epsilon cyclase mRNA, complete cds." <i>Database EM PL 'Online! Accession No. AY099485, 06/11/2002.</i>	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Examiner Signature		Date Considered	
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